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c 427 Wolf and Bear Bounty Act

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CHAPTER 427

The Wolf and Bear Bounty Act

1. In this Act,Interpre-
tation.

- (a) "Minister" means Minister of Lands and Forests;
- (b) "provisional judicial district" includes the provisional county of Haliburton;
- (c) "regulations" means regulations made under this Act. 1946, c. 110, s. 1; 1947, c. 118, s. 1 (2).

WOLF BOUNTIES

2. Where in any county a person has killed a timber or brush wolf and within a period of six months after the killing produces the whole skin before the treasurer of the county, a magistrate or one of the persons designated by the Minister as wolf bounty officers, together with an affidavit in the prescribed form stating the place where and the date when the wolf was killed and that the wolf was not kept in captivity while it was under the age of three months, the treasurer, magistrate or person aforesaid shall give to the person producing the skin, a certificate in the prescribed form. 1947, c. 118, s. 2.

3. Upon the delivery of a certificate issued under section 2 by the person named therein to the treasurer of the county, together with the whole skin of the wolf, within a period of one month from the date of the certificate, the treasurer shall pay, or cause to be paid, to such person the sum of \$25 as a bounty on either a timber or a brush wolf which is three months of age or over, and \$15 as a bounty on either a timber or a brush wolf under the age of three months. 1946, c. 110, s. 3; 1949, c. 113, s. 1.

4. Upon the delivery to the Minister by the treasurer of a county of a certificate issued under section 2 completed to the satisfaction of the Minister, together with the whole skin of the wolf, the corporation of the county shall be entitled to receive 40 per cent of the sum so paid, out of such moneys as may be appropriated by the Legislature for the payment of wolf bounty. 1946, c. 110, s. 4.

Proof of
killing in
provisional
judicial
district.

5.—(1) Where a timber or brush wolf has been killed in a provisional judicial district, the skin may be produced before a magistrate, the clerk of the district court or one of the persons designated by the Minister as wolf bounty officers. 1947, c. 118, s. 3.

Certificate.

(2) Upon the like proof as required in section 2, the person before whom the skin is produced may give the certificate mentioned in section 2, provided such skin is produced within a period of 10 months after the killing, and upon the delivery of the certificate, duly completed, to the Minister together with the whole skin, the person named in the certificate shall be entitled to receive out of such moneys as may be appropriated by the Legislature for the payment of wolf bounty the sum prescribed in section 3. 1946, c. 110, s. 5 (2).

Provincial
parks.

6. Where a claim is made for the payment of bounty for any wolf killed in a provincial park, the affidavit may be taken and the certificate may be given by the superintendent of such park, or before any of the persons named in subsection 1 of section 5. 1946, c. 110, s. 6.

Disposal
of skin.

7. Before payment of the bounty to the corporation of the county or directly to the person killing the wolf, the whole skin shall be delivered to the Minister or to such person or persons as the Minister may designate for the purpose, and shall become the property of the Crown, and may be disposed of in such manner as may be prescribed by the regulations. 1946, c. 110, s. 7.

Penalty for
unlawful
presentation
for bounty.

8.—(1) Every person who presents or sends to the Minister for bounty, or who is a party to presenting or sending to the Minister for bounty, any wolf skin upon which the bounty has been paid, or the skin of any wolf taken or killed outside of Ontario, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$50 and not more than \$200 in respect of every wolf skin so presented or sent, and in default of payment thereof shall be imprisoned for a term of not more than six months unless the penalty is sooner paid. 1946, c. 110, ss. 8 (1), 19.

Forfeiture
of skin.

(2) Upon conviction for an offence under subsection 1, every wolf skin in respect of which the offence was committed shall be forfeited to and become the property of the Crown in right of Ontario and may be disposed of in such manner as the Minister may direct. 1946, c. 110, s. 8 (2); 1947, c. 118, s. 4.

BEAR BOUNTIES

Application.

9.—(1) Sections 9 to 12 shall apply only to such geographical areas of Ontario as are prescribed by the regulations.

(2) No bounty shall be paid on bears killed in areas other than those prescribed in accordance with subsection 1 nor on bears killed in provincial parks, Indian reserves or Crown game preserves. 1946, c. 110, s. 9.

Where no bounty.

10.—(1) Subject to fulfilling the conditions prescribed in sections 9 to 12, where a person has killed a bear in any township of which not less than 25 per cent of the total area is devoted to agriculture, such person shall be entitled to a bear bounty. 1946, c. 110, s. 10 (1).

Must be agricultural area.

(2) Where in any such township a person kills a bear and,

Proof required.

(a) within a period of three weeks after the killing produces the whole skin thereof before a magistrate, justice of the peace, game and fisheries officer or one of the persons designated by the Minister as bear bounty officers;

(b) produces to the officer an affidavit in the prescribed form stating,

(i) the place where the bear was killed,

(ii) the date when the bear was killed, and

(iii) that the bear was not kept in captivity previous to the date on which it was killed;

(c) proves to the satisfaction of the officer that the bear was killed between April 15th and November 30th in defence or preservation of live stock or property; and

(d) proves to the satisfaction of the officer that he was at the time of the killing a *bona fide* resident of the township in which the bear was killed, and that he was not at such time a tourist-outfitter or licensed guide, rendering service in such capacity to non-residents of the township,

the officer before whom the skin is produced shall give to the person producing it, a certificate in the prescribed form. 1946, c. 110, s. 10 (2); 1947, c. 118, s. 5.

(3) Upon the issue of the certificate, the officer before whom the whole skin is produced shall stamp or mark the skin in the manner prescribed by the regulations and shall then return the skin to the party who killed the bear and it shall become his property. 1946, c. 110, s. 10 (3).

Marking of skin.

11. Upon the delivery to the Minister of an affidavit and certificate mentioned in section 10 completed to the satisfaction of the Minister, the person named shall be entitled to

Amount of bounty.

receive out of such moneys as may be appropriated therefor by the Legislature the sum of \$10 as a bounty on a bear which is 12 months of age or over, and \$5 as a bounty on a bear under the age of 12 months. 1946, c. 110, s. 11.

Penalty
for unlawful
presentation
for bounty.

12.—(1) Every person who presents for bounty, or who is a party to presenting for bounty, any bear skin upon which the bounty has been paid, or the skin of any bear taken or killed outside the area to which sections 9 to 12 apply, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$50 and not more than \$200 in respect of every bear skin so presented, and in default of payment thereof shall be imprisoned for a term of not more than six months unless the penalty is sooner paid. 1946, c. 110, ss. 12 (1), 19.

Forfeiture
of skin.

(2) Upon conviction for an offence under subsection 1, every bear skin in respect of which the offence was committed shall be forfeited to and become the property of the Crown in right of Ontario and may be sold by the Minister. 1946, c. 110, s. 12 (2).

GENERAL PROVISIONS

Payment
of claims.

13. Where the Minister is satisfied that the person who killed any wolf or bear or that the corporation of the county which has paid a wolf bounty is justly entitled to receive the bounty or to be reimbursed as provided in section 4, the Minister may make a requisition on the Treasurer of Ontario accordingly, and a cheque shall be issued in payment thereof, notwithstanding any defect in the affidavit or certificate, or any doubt as to the authority of the officer taking such affidavit or giving such certificate, and in such case the provincial Auditor shall forthwith, without further audit or examination, countersign the cheque. 1946, c. 110, s. 13.

Entitlement
determined
by Minister.

14. The decision of the Minister on all questions of the entitlement to payment of a bounty and as to the age and classification of animals shall be final. 1946, c. 110, s. 14.

Taking
affidavits.

15. Any person authorized to give a certificate under this Act may take any affidavit required to be taken by any applicant for the purpose of obtaining such certificate. 1946, c. 110, s. 15.

Wolves and
bears kept
in captivity.

16.—(1) Every person in possession or control of any live wolf or bear shall within 10 days after coming into such possession or control apply in writing to the Minister for a permit to keep the same in captivity.

(2) The Minister may issue permits under this section in such form and subject to such terms and conditions as he may in his discretion deem proper. Issuance of permits.

(3) The Minister may refuse to issue a permit under this section and may cancel any such permit at any time when it is shown to his satisfaction that the person to whom the permit was issued has failed to comply with the terms and conditions thereof. Refusal and cancellation of permits.

(4) Every person who fails to comply with subsection 1 or who keeps any live wolf or bear in captivity after a permit therefor has been refused or cancelled shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$10 and not more than \$100, and in default of payment of the penalty shall be imprisoned for a term of not more than three months unless the penalty is sooner paid. Offences and penalties.

(5) Any live wolf or bear kept in captivity contrary to this section and any cage, pen, crate, shelter or other enclosure used in connection therewith may be seized and upon conviction of the person in possession or control thereof shall be forfeited to and become the property of the Crown in right of Ontario and may be disposed of in such manner as the Minister may direct. Seizure of animals, cages, etc.

(6) This section shall not apply where any live wolf or bear is kept in captivity in any public zoo or for scientific or educational purposes in any public institution. 1949, c. 113, s. 2. Application of section.

17. Where in any action, prosecution or other proceeding under this Act, a person claims that bounty is payable in respect of a wolf or bear skin, and that such bounty has not been previously paid, the burden of proof shall be upon such person. 1946, c. 110, s. 17. Burden of proof.

18. The Lieutenant-Governor in Council may make regulations, Regulations.

- (a) prescribing the form and contents of certificates and affidavits required for the purposes of this Act;
- (b) prescribing the fees payable for any permit issued under this Act;
- (c) prescribing the manner of marking or stamping any skin on which a bounty is paid;
- (d) defining the geographical areas to which sections 9 to 12 shall apply;

- (e) providing for the disposal of wolf skins on which bounty has been paid and wolf or bear skins forfeited to the Crown;
 - (f) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1946, c. 110, s. 18; 1949, c. 113, s. 3.
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